

1 it is the report concerning the visit of the interagency  
2 group.

3 MR. CAMILO SALAS: Mr. Bennazar, we will expect  
4 that report to be produced. I would think it is part of the  
5 request that we made, but if you want us to make a specific  
6 request naming that particular report I would be delighted to  
7 do but otherwise I hereby make a request for the production  
8 of that particular document.

9 MR. A.J. BENNAZAR: We will look for it using the  
10 description using the description given by the witness  
11 "Informe Interagencial" or whatever it is.

12 MR. CAMILO SALAS: All right.

13 BY MR. CAMILO SALAS:

14 Q Now, you would agree with me that DRC was not  
15 required under its contract to provide electricity to the  
16 schools to make the computers work? Is that not right?

17 A To the best of my recollection of thinking, no.

18 Q You would agree with me that E-Rate funds cannot be  
19 used to provide electricity to the schools?

20 A I don't think so.

21 Q You don't think so?

22 A I don't think so that it should not be used to  
23 provide that.

24 Q So you believe that E-Rate funds can be used---

25 A No, they can't.

1 Q Cannot be used---

2 A Cannot.

3 Q Cannot be used to provide electricity to the  
4 schools. All right. And you would agree with me that E-Rate  
5 funds cannot be used to train the teachers to use the  
6 computers?

7 A Absolutely not.

8 Q I'm sorry?

9 A Absolutely not.

10 Q Absolutely not. Now what if anything, did you do  
11 having received the interagency group report about some items  
12 that you said DRC had either not performed or don't remember?

13 A Whatever was found out that was produced by any  
14 report of any project I receive it, I discuss it with the  
15 unit that produced it and moved it forward.

16 Q What do you mean by "moved it forward"?

17 A Moved it forward means if there is a decision that  
18 I have to take that is along with my office responsibilities,  
19 then I'll produce it or do it or if there is any information  
20 that I think that the Secretary or the Sub-Secretary Collazo  
21 should know or was requested by them, I forwarded them the  
22 information.

23 Q Specifically, did you do anything such as asking  
24 DRC or did you ask any of the people that worked for you to  
25 contact DRC and ask them to fix whatever problems the

1 interagency group had found?

2 A No. When the interagency brought us the report I  
3 didn't have as far as I remember, I didn't have any  
4 information on that. It might be discussed whatever  
5 information in the weekly meetings that they had at the time.

6 Q At the Department of Education?

7 A At the Department of Education with the suppliers.  
8 The Project Manager, Mr. Ramírez, had a weekly meeting with  
9 the suppliers and where issues about the projects were  
10 discussed.

11 Q You did not attend these weekly meetings?

12 A I attended some of them but not on the most. But  
13 if there were any special reason that I should attend or be a  
14 part of the reunion, I did it.

15 Q Let me show you what I am going to mark as Exhibit  
16 Number 3.

17 (AT THIS MOMENT DEPOSITION EXHIBIT 3 IS MARKED)

18 BY MR. CAMILO SALAS:

19 Q It looks like a carbon copy of that letter. Do you  
20 remember receiving that letter?

21 A Just a moment.

22 MR. CAMILO SALAS: Off the record.

23 OFF THE RECORD

24 After the recess,

25 BY MR. CAMILO SALAS:

1           Q     Mr. Cruz, you have had an opportunity to read this  
2 document that I have marked as Exhibit Number 3. Is that  
3 right?

4           A     Yes.

5           Q     Do you recall receiving a copy of that letter which  
6 is dated August 22nd, 2001 from Mr. Ricardo Reyes Soler to  
7 Adonay Ramírez?

8           A     I don't have the specific recall but the  
9 information looks familiar to me.

10          Q     So you don't specifically remember receiving the  
11 letter but you remember learning about that?

12          A     About the information.

13          Q     What if anything, did you or the people that work  
14 for you do with respect to these situations or problems that  
15 are reported in this letter by DRC?

16          A     Can I have it back?

17          Q     Yes, Sir.

18          A     Thank you. Concerning the electricity problem?

19          Q     Yes.

20          A     That's when we started first to check out that we  
21 had this problem and we talked with the people of OMEP  
22 letting them know about this problem of electricity and---

23               MR. A.J. BENNAZAR: Excuse me. Just for the sake  
24 of clarity of the record, "OMEP" is "Oficina de Mejoramiento  
25 de Escuelas Públicas".

1 BY MR. CAMILO SALAS:

2 A (DEPONENT) And we started to figure out what if  
3 this were a real problem that we are going to be having, what  
4 solutions we can provide that once we start thinking about  
5 the model laboratories that don't use that amount of  
6 electricity.

7 At the time, I also remember I visited some of the  
8 schools to see by myself what is the problem that was going  
9 on with electricity. I remember specifically visiting Ponce  
10 High, I visited 2 schools in Vieques and we were checking on  
11 this. On the second one, "Lack of Knowledge on Part of the  
12 School Personnel"---

13 Q Before you move on to item number 2, let me ask you  
14 about the first item. Essentially, when you visited some of  
15 the schools you found that there was a lack of sufficient  
16 electrical power to operate some of the equipment that was  
17 needed to access the Internet.

18 A On some of the schools yes, that was the situation.

19 Q And now I think we covered this before, that  
20 E-Rate funds could not have been used to remedy that problem.

21 A Yes, Sir.

22 Q And you would agree with me that DRC was not  
23 required to provide electricity to those schools who had that  
24 problem?

25 A Yes, Sir.

1 Q And if the equipment to access the Internet was not  
2 in operation because of lack of electricity, you would not  
3 blame DRC for that, would you?

4 A I remember I had a meeting with DRC or I was in a  
5 meeting where DRC was with one of the meetings with Mr.  
6 Adonay Ramírez and I remember that specifically I questioned  
7 in that meeting why the equipment were located where they  
8 were if DRC and PRT were supposed to be experts and were not  
9 supposed to locate this equipment where they know they would  
10 not have functioned.

11 Q Meaning in a school that didn't have electricity?

12 A Or the specific case in that moment that we were  
13 discussing was equipment that were located near the windows  
14 and that were getting wet.

15 Q Well we are not talking about getting wet. We are  
16 talking about there being electricity.

17 A Yes, but in that case it was the whole thing and I  
18 remember I made a concern about the expertise that if I were  
19 awarded a bid for that stage of Phases I and II, where the  
20 infrastructure and equipment were being installed, that I  
21 have a consultation of an expertise from my provider who says  
22 that they know that that's their core of business, they know  
23 how to do it in installing equipment in locations where the  
24 logic for an expert in this kind of business tells them that  
25 there is no way that it can function. There is no way that

1 it will not be damaged.

2 Q We are talking about electricity, not about wet.  
3 So let me ask you again.

4 A Um-jum.

5 Q My question again was, would you blame DRC because  
6 they installed an equipment to access the Internet and the  
7 school did not have adequate electrical power?

8 A I will blame in the one that took the decision of  
9 installing the equipment in that specific place. If it was  
10 the Department of Education, the Department of Education. If  
11 it was DRC, DRC.

12 Q You would blame---

13 MR. A.J. BENNAZAR: Excuse me. For the sake of  
14 clarity, when you say "that place" you mean a room within the  
15 school or the school within?

16 DEPONENT: No. A room within the school.

17 BY MR. CAMILO SALAS:

18 Q You mean the room where it could get wet?

19 A Yes, or if it doesn't---

20 Q How is that related to electrical problems?

21 A How can I install an equipment, an infrastructure  
22 of this kind in a place where there is no electricity, no  
23 power?

24 Q Well, again when you say "place" what are you  
25 referring to?

1           A     Let's suppose that this is a classroom or this is a  
2 storage or this is whatever this is the where the equipment  
3 is going to be located. This is equipment that includes 4  
4 servers, 4 monitors, all the equipment that is in the black  
5 box and there is no power or electricity available for this?  
6 How come? Or, I have the T-1 in the other side of the  
7 building and I am going to install this over here where I am  
8 going to install the T-1 in the side of the building which is  
9 exactly the other side where the room is going to be the  
10 computer room and is located.

11               In terms of this location, whoever took the  
12 decision, I think they made a wrong decision on that and I  
13 will blame and it depends on every specific case, who took  
14 the decision of this to be installed or located where they  
15 are located.

16           Q     Who made the decision to do this?

17           A     I don't know. I wasn't there, but it had to be for  
18 specific instances.

19           Q     Based on what you know as you sit here today, you  
20 cannot blame DRC because the schools did not have sufficient  
21 electric power to run the computer equipment to access the  
22 Internet, do you?

23           A     That specific question that a whole school doesn't  
24 have enough power, I can't blame DRC.

25           Q     And in fact, I think I asked you this question



1 earlier but let me just ask it again in the context of this  
2 particular line of questioning.

3 The Department of Education had certified to the  
4 FCC when they first applied for the E-Rate funds, that the  
5 schools either had sufficient electrical power or that the  
6 Department of Education was in the process of taking whatever  
7 steps were necessary to provide adequate electrical power to  
8 run the equipment that was going to be installed to access  
9 the Internet.

10 A That is supposed to be part of the procedure.

11 Q Yes.

12 MR. CAMILO SALAS: Let's break for the letter so we  
13 can keep questioning on it.

14 OFF THE RECORD

15 After the recess,

16 Q Let's go to Item Number 2. You were about to start  
17 that earlier.

18 A Um-jum.

19 Q In the letter it indicates that one of the problems  
20 that DRC found was that many people in the schools would not  
21 know about this project at all. Is that right?

22 A It says that, and at the time that it says this  
23 letter was of the 22nd of August, I remember that in the very  
24 beginning of the semester we had meetings with every single  
25 Superintendent of the schools giving them information about

1 the project and what's going on and what were our  
2 expectations.

3 We met them at the Central Level of the Department  
4 of Education and we designed a training. That's when we  
5 started the training which I told you that we trained over  
6 23,000 teachers in 14 months. We hit hard on that. We  
7 started to visit what at that time were supposed to be the  
8 Training Units at the Superintendent of Schools to make an  
9 inventory of the resources we had there to start training  
10 them on how to help them and we made the request for  
11 technicians to be the helping hands and to visit every single  
12 school before this was to be going.

13 Also the Department of Education, in terms of the  
14 labs, started orientating the teachers for the labs and where  
15 the first lab is going to be held.

16 Q If the people in the schools did not allow the  
17 technicians from DRC to do the work that they were going to  
18 do in the schools meaning installing equipment there or for  
19 whatever reason irrespective of all the effort by your office  
20 to notify the Superintendents of Schools, you cannot blame  
21 DRC for that, can you?

22 A No.

23 Q Let's look at the third item addressed in this  
24 letter. I tried to read Section Number 3 of this  
25 letter. DRC is complaining that even though there are

1 certain criteria for installing the equipment such as close  
2 to the main distribution frame or in a place where the  
3 equipment would not get wet or a place where the equipment  
4 would be secure, in many instances they have been told to  
5 install the equipment in other areas of the schools. Do you  
6 understand the letter to mean that?

7 A I understand.

8 Q All right.

9 A I understand that you are saying that.

10 Q That letter says that, true?

11 A It's what it says.

12 Q Now if that is true, in other words if DRC is told  
13 "put the equipment here because this is where we want it"  
14 being told by the principal of the school or who ever is in  
15 charge at the school and DRC obeys that, can you blame DRC  
16 for that?

17 A I think if that was the case, DRC representatives  
18 made an error of judgement.

19 Q How so?

20 A If I were in that position and somebody tells me to  
21 install the equipment where it should not be, I would say "no  
22 Sir, I am so sorry" and I will go back. I would go to the  
23 Department of Education and because I am going to be the sole  
24 responsible, I am the expert. I am there and I was awarded  
25 with the bid because I have an expertise in that and I know

1 if that is going to work or whatever the reason he saw there,  
2 finally I am responsible for that if that is the case.

3 Q Now here DRC so complaints that equipment has been  
4 stolen.

5 A Um-jum.

6 Q Is DRC---

7 A I would not blame that on DRC.

8 Q No. There is also a complaint about vandalism. In  
9 fact that some of the antennas have been used for aiming.

10 A In that specific case, I won't blame DRC.

11 Q Okay. Now here is a complaint about the hours that  
12 DRC workers were allowed to work in the various schools which  
13 may have impacted how long it took to complete the project.  
14 Could DRC do anything other than obey whatever they were told  
15 by the principals in the schools as to when they can do their  
16 work?

17 A Assuming that DRC was there at a time the school  
18 was open, there is nothing else that they can do.

19 Q So you would not blame DRC for that?

20 A Assuming that DRC was there during that period of  
21 time before and after, I don't think so. No, I don't think  
22 so.

23 Q What if anything, did the Department of Education  
24 do to try to take care of that problem? Did the Department  
25 of Education send notice---

1 A Which ones?

2 Q Number 4. Did the Department of Education notify  
3 the principals to let DRC do its work at all hours or  
4 anything like that?

5 A We tried. When I was in the position, we tried to  
6 negotiate with the school teachers or the school principals  
7 in the cases if they didn't know about that, sometimes send  
8 some of our technicians. I myself remember that I spent some  
9 weekends moving out to some of the schools with part of the  
10 other teams. I remember specifically I was in Ponce High a  
11 whole Saturday so we could work it out. I remember in  
12 another of the schools we went we stayed there until 3:00  
13 a.m. in the morning to make the connections available. In  
14 the specific case that we had the information, we tried.

15 MR. CAMILO SALAS: Let's stop here for lunch break.  
16 Why don't we do it now?

17 MR. A.J. BENNAZAR: Yes.

18 MR. CAMILO SALAS: Off record.

19 OFF THE RECORD

20 After the recess,

21 BY MR. CAMILO SALAS:

22 Q Mr. Cruz, we are back here in the record again.  
23 Let me try to clarify just a couple of things we talked about  
24 this morning. I am not trying to repeat but I just want to  
25 clarify a couple of things.

1           Early on, you told me that you made some reports on  
2 what you called the V-1 generation? Remember that?

3           A     Yes.

4           Q     Are those reports in writing?

5           A     At least one of them was in writing.

6           Q     And those would be in the files of the Department,  
7 right?

8           A     Should be.

9           Q     And those addressed the questions of the things I  
10 think you mentioned connectivity, whether the schools had the  
11 equipment to make connections and the stability of the  
12 connections?

13          A     It was a general report and that I think, since I  
14 haven't had access to that a long time ago, but in the way I  
15 usually do my things should include all the mayor items.

16          Q     Now, when you talked about those items earlier,  
17 connectivity refers to whether there was a T-1 line  
18 connecting or what do you mean by that?

19          A     Since there were two kinds of projects, one that  
20 was wired and one that was wireless, I didn't really care in  
21 terms of connectivity, the way they do it because some are  
22 different. But the real thing is that someone at a school  
23 level should have access to the Internet through  
24 (inintelligible).

25                If somebody in a PC that can be a server, can be an

1 end user PC, whichever it is, if there is connectivity from  
2 someone from the school to the Internet, that complies with  
3 me.

4 Q Now we talked earlier about the fact that some  
5 schools didn't have all the computers and some had all  
6 computers that were not a bit compatible with the equipment,  
7 etcetera. Aside from the computer or PC problems, I call  
8 them, were there any other problems related to connectivity  
9 that you were aware of? I know that you talked about maybe  
10 the equipment being close to the window and things like that,  
11 but in terms of actual connectivity, was there anything else  
12 that you remember?

13 A The least of the situations at the time should be  
14 documented somewhere either in the reports that Adonay  
15 brought to me or in the information in the weekly meetings  
16 they had or in the reports I submitted to the Secretary  
17 either Rey or Collazo. There should be the details of it and  
18 the mayor things.

19 Q Let me ask you this. Did you at any time find any  
20 evidence for example, that DRC had not obtained or had not  
21 provided the T-1 lines that were to connect the schools with  
22 DRC's central?

23 A Say it again.

24 Q As part of the system as I understand, there were  
25 some T-1 lines involved, right?

1           A     Yes. The ones that connected the schools with the  
2 service providers.

3           Q     Now, did you at any time obtain any evidence that  
4 those T-1 lines had not been supplied by DRC?

5           A     Physically? I don't think so. I think that  
6 physically that the lines were available. Operational, well  
7 that is another problem.

8           Q     What about it?

9           A     When we started connecting schools, some lines were  
10 operational, some lines were not. Some lines were  
11 operational at a moment and other moments were not. That is  
12 what I call in the reports... Let me see which was the word  
13 I used... I remember I described it with a word and I  
14 remember because it took me some time to get a word that  
15 describes. It was something like fluctuation or something  
16 like that. The thing is that some times they were on and you  
17 made a test later during the day or the next day or 2 days  
18 later and they were not. Then, 2 days later you would do the  
19 same test and they were on.

20          Q     And you put that in what report?

21          A     I think that should be in the report of early  
22 October or something like that.

23          Q     These are reports that you actually wrote yourself  
24 or somebody wrote them for you?

25          A     This specific report of October, whichever part of



1 October, I think I did it myself.

2 Q What year, please?

3 A October, 2001.

4 Q What were the tests that were being conducted to  
5 determine if the T-1 lines were operational?

6 A A test consists of... There were 2 kinds of tests  
7 regarding that. The first was the technician in the schools  
8 or a teacher or someone in the school got into the computer,  
9 login and access the website of the Department of Education  
10 and fill some blanks and that is it. That way we know that  
11 somebody in the school had access and we requested to do that  
12 at least once a week.

13 Q You would ask the teachers to do that?

14 A The teacher or someone in the school or the  
15 technicians that were going to the schools. Sometimes the  
16 supplier's technicians did it because they knew that we were  
17 doing that so any time they visited, they did it because I  
18 want to know it.

19 Q So that would tell you there is a connection?

20 A Um-jum. But then we had a concern. What if  
21 somebody forgets to do it? So we started to make it  
22 automatically and we put some codes into the server to do  
23 that connection and send the information automatically. If  
24 the server is on and there is a connection available it will  
25 go ahead.

1           Later on, we developed a third way which is that  
2           from the Department of Education using our technicians can  
3           send a signal and go to specific servers and check the level  
4           to which the signal can go so we can know if the problem is  
5           in the T-1 line or it is in parts or in the structures or if  
6           we can get to the server we knew at that time if the server  
7           was on or was off.                   Just in the case that the lines

8           are okay, there is connectivity but somebody put the server  
9           off. With that very last test, we do know if the server is  
10          on or is off and even the last server that was being acquired  
11          had the capability of if something goes wrong and the server  
12          goes off, we can put it on from the Department of Education.

13          Q     So the first type of tests would require actually  
14          somebody to login and logoff.

15          A     Yes, somebody to login and a record.

16          Q     But you were concerned that if the teachers or  
17          whoever is in the school forgot to log it in then you would  
18          not have an adequate record of whether the equipment is  
19          working or not?

20          A     So we switched almost immediately. That disclosure  
21          was going to be into the program of the servers.

22          Q     And when was that implemented? The second option  
23          which would tell you whether the server is on?

24          A     I believe that Adonay Ramírez can give you more  
25          details on that. That's part of the micro. That I think

1 should be by September, beginning of October we were  
2 switching to that mode.

3 Q Okay.

4 A By the end of September and maybe the beginnings of  
5 October we were switching to that.

6 Q It would be the 2001?

7 A Yes.

8 Q And then the third system? The one that sends the  
9 signals to the servers?

10 A That was done I think maybe at the beginning of  
11 maybe February of 2002.

12 Q With the second system, the server had to be on for  
13 you to get a reading?

14 A Yes.

15 Q So if somebody in the school turned all the  
16 equipment off, including the servers, then you could not test  
17 if the T-1s were working or not?

18 A Correct.

19 Q That is the test that you would have been running.  
20 I realize that you don't have the exact date and we will get  
21 it when we get the documents, I suppose. You were running  
22 those tests from about October of 2001 through about February  
23 of 2002?

24 A Those tests? The first kind of the tests began  
25 with the connections we made as early as July.

1 Q I realize that. I am talking about the second  
2 tests.

3 A Yes. The second test started and to be my best  
4 recollection locates maybe September or October or something  
5 like that.

6 Q All right. I take that your explanation is that  
7 the validity of that test is dependent on whether or not the  
8 server is actually physically on or off?

9 A This is technical. If servers are not on, then  
10 there is no access from any computer to the web.

11 Q Now, if you are doing the test, you are doing the  
12 test at the Department of Education?

13 A The first ones were generated at the schools.

14 Q At the schools.

15 A The first ones because there had to be somebody  
16 doing the login.

17 Q Right.

18 A At the school.

19 Q And they are sent into your website.

20 A That's right. The second one also occurred at the  
21 schools because they were coded into the servers. The  
22 third---

23 Q Before you go to the third, the second one---

24 A Still happens at school level.

25 Q So the server automatically will send a signal to

1 the Department of Education's website?

2 A Yes, since it goes to the Department of Education  
3 and it is registered in the data base.

4 Q All right.

5 A Even though the people at Adonay's office have the  
6 ability to somehow and I don't have the details, but somehow  
7 they can send a signal. The thing is that they were doing it  
8 manually and when they made the application they simplified  
9 it in a way that they can say "okay, I want to send signals  
10 to all the schools in Manatí" and the programs of all the  
11 schools of Manatí or give me the list and I will take it and  
12 it send a signal. All the schools that I take, the signal  
13 was sent and I remember because I did it sometimes---

14 Q But that's the third test, right?

15 A Third test.

16 Q Right, but---

17 A They have---

18 Q Let's stay on the second test for a little bit so  
19 we keep a straight record.

20 A By the time of the second test, the technicians of  
21 Adonay's office had the potential and they can do it but they  
22 had to do it in a way that only technicians can do it and  
23 that is... I can't have technicians doing all the things. I  
24 need something that can be done by anyone. More specific, if  
25 I had to do it and I am in a rush, I want to have the ability

1 to do it in a user friendly application. So that is how it  
2 all started and ended with the application that we...

3 Q All right. So, still talking about the second  
4 test, I guess what I am hearing and correct me if I am wrong  
5 is that the server itself if it was turned on it could  
6 automatically send a signal to the Department of Education.

7 A Only when the server is on.

8 Q Okay. If the server was off, then that signal  
9 would not go in.

10 A Would not go in.

11 Q So the check that could have been performed by the  
12 Department of Education to see if the T-1 were working or not  
13 was also dependant on whether or not the server was on or  
14 off.

15 A But at that time as I told you before, they can  
16 figure out if they have access to the---

17 Q I will get to that.

18 A Okay.

19 Q On top of that, I take that what you are telling me  
20 is that the technician would get in from the Department of  
21 Education and send some type of signal to the servers in the  
22 schools to find out if they were on or off and to see whether  
23 it was working or not but that required a lot of time and  
24 effort.

25 A That's a probe that couldn't be performed by most

1 of the people. Only technicians can know about that.

2 Q The point of the matter is like you did not have  
3 technicians every day checking those T-1 lines using that  
4 system to see if the T-1s were working or not.

5 A Adonay can answer that question. I don't know.

6 Q But you are not aware of technicians sitting there  
7 all day checking every school?

8 A Well, remember that was a project management  
9 office, not even in my floor. Whatever goes with the micro  
10 management, depends on that.

11 Q All right. And then to correct those problems then  
12 the third system came in sometime in February of 2002 where  
13 the schools could automatically send signals to the servers  
14 without too much work and find out if the T-1s are working or  
15 not working.

16 Now, using any of those 3 systems that we have  
17 talked about here, did the Department of Education perform or  
18 compile a listing of which T-1s were in operation or not in  
19 operation at any particular time?

20 A They have an idea, yes.

21 Q They have an idea?

22 A Because I asked for that and they had an idea and  
23 they can tell me "you have so many schools literally  
24 connected but only these are operational".

25 Q But did they explain to you which ones are not in

1 operation because somebody didn't turn the servers on or  
2 which one is not in operation because the T-1 line is  
3 defective? Do you understand what I am saying?

4 A Yes. That information was managed by Adonay.

5 Q Okay.

6 A I only got the results and I didn't go into that  
7 detail.

8 Q Fine.

9 A It was impossible.

10 Q Fine. Do you recall Mr. Ramírez at any time  
11 telling you there is a number of T-1 lines that are not  
12 working because the T-1 lines are defective? Not because  
13 they didn't turn the computers on, not because they didn't  
14 turn the servers on, not because anybody forgot to run the  
15 test?

16 A No. Either the T-1 lines or the connection of the  
17 T-1 lines at the end of the T-1 line, but I remember there  
18 were instances that that happened.

19 Q And was that at many, many instances or just a few  
20 instances?

21 A That detail I don't have. Adonay has it.

22 Q Now you could expect that perhaps with as many  
23 connections as the system involved, every now and then you  
24 will have a T-1 line malfunctioning or things like that and  
25 that is something that you need to fix.



1 A I understand that.

2 Q In other words, these T-1 lines are not infallible.

3 A Yes.

4 Q It's just like every other piece of equipment.

5 They can fail on one day and you have to do maintenance,  
6 right?

7 A Specially in the interior of the Island and I know  
8 that.

9 Q If for some reason a T-1 line was not operating  
10 properly on one day, that does not necessarily mean that DRC  
11 did something wrong. That is part of the maintenance that  
12 must be done, right?

13 A Well, it is not an absolute answer for that. It  
14 depends on a lot of things. If you have it once in a while,  
15 that's part of the routine, it happens. If you have it more  
16 than once in a while, then something is going wrong. If it  
17 is most of the time, then something should be really wrong.

18 Q Go ahead.

19 A So there is not an absolute answer in that term.  
20 If it is the responsibility of the supplier if the T-1s don't  
21 run, well the response time and the efforts of the supplier  
22 to put it back into work, for me that counts.

23 Q That's what is important?

24 A Yes.

25 Q So if he goes down "fine, let's just get it back

1 on".

2 A It can happen. Specially in the stormy months of  
3 August and September.

4 Q Did you ever learn of any delays in addressing some  
5 problems that had been encountered with the T-1 lines? I  
6 mean, very long delays or something that you would take that  
7 it is just unacceptable?

8 A Well, at the time we had some schools on districts  
9 that we were using like tracers and checking them out just to  
10 have an idea of how things were going on and there were  
11 problems in some of the landmarks that were giving us some  
12 sort of a problem in certain schools of certain districts. I  
13 remember that that happened.

14 Q Were those addressed? Whatever problems existed?

15 A Yes, and they were supposed to generate visits to  
16 check out and I remember that meetings and visits with the  
17 suppliers were conducted to check what was going on in there.

18 Q DRC addressed the problems? Whatever problems that  
19 may have existed there?

20 A DRC, yes.

21 Q Yes. Okay. Now I have been told and maybe I'm  
22 wrong about this, that there was some type of software  
23 program that existed or that the Department of Education had  
24 to determine if there were connections in the schools. Is  
25 that third system that you described for me earlier?

1           A     No. There were more than one software that were  
2     tried. As far as I remember, one that I used almost all the  
3     time was a report in which I visited the database where it  
4     registered the access of our schools to our website and from  
5     that database I generated a report that tells me which  
6     schools have access to the website and the last day and hour  
7     when they did it.

8           Q     Right, but that just tells you that so and so used  
9     the computer 3 weeks ago and since then they haven't turned  
10    it on again?

11          A     Um-jum.

12          Q     Right. But that doesn't tell whether or not the T-  
13    1 is defective or not.

14          A     Remember that connectivity can be from somebody  
15    from school having access and I'm checking it. That's why I  
16    was so concerned that I didn't want to take the risk that  
17    somebody just forgot because now they have the connectivity  
18    and they forgot that they have to sign in. So I wanted to be  
19    sure that in the case that they forgot it, the server can  
20    generate a signal itself and tell me "hey, Department of  
21    Education---

22          Q     That was later?

23          A     Yes.

24          Q     Correct. Now, did that involve any type of  
25    Microsoft program that helped you do that?

1           A     Well in terms of Microsoft programs, the Internet  
2 Explorer is a Microsoft product. Remember we had a contract.  
3 When we say "we" I mean the Department of Education, had a  
4 contract with Microsoft to use their applications including  
5 Office Suite in their operating system and that the operating  
6 system has the Internet Explorer that was used in every  
7 single school in Puerto Rico. So the access from anybody in  
8 the Department of Education was through the Internet  
9 Explorer.

10           Q     Okay.

11           A     And the database that was used at that time would  
12 try Access, which is a Microsoft product and after that they  
13 used SQL that was also a Microsoft product.

14           Q     All right. But the third system that allowed  
15 Department of Education to check the servers to see if they  
16 were on or off, that did not involve any special program or  
17 did it?

18           A     I think they did.

19           Q     And do you remember the name of that program?

20           A     No. It was something that was generated in-house.

21           Q     It was?

22           A     But details, Adonay's office has which applications  
23 they used that is part of the third... I don't have that  
24 specific information but I know that it was generated in-  
25 house.

1 Q It was a program that was written in-house?

2 A It was written in-house. If it had to be bought,  
3 then I had to approve it and I didn't approve it for buying  
4 software.

5 Q So that's a particular program that they wrote or  
6 was it that they would just do it in different tasks with the  
7 existing programs that supposedly allowed them to perform the  
8 programming?

9 A I think they generated codes to be used with the  
10 operating systems we have in the computer center.

11 Q And that, Adonay Ramírez is the person who would  
12 know about that?

13 A I think so.

14 Q Now, with respect to the second system that we  
15 discussed earlier, likewise would that involve writing a  
16 program in-house or---

17 A Those are some sort of codes that are in the  
18 operating system and the servers.

19 Q Okay. So the second and the third way of checking  
20 if the T-1s were on, involved codes?

21 A In-house coding.

22 Q In-house coding, okay. But not a full program?

23 A As far as I know except as I told you, the data  
24 base was SQL and Internet Explorer is part of Microsoft  
25 products.

1           Q     Did anybody verified or certified the validity of  
2 this code system that had been written in-house for the  
3 purpose of doing what you described to me?

4           A     Not external, in-house and the consultants we have  
5 from Microsoft.

6           Q     The consultants from Microsoft had passed on the  
7 validity of those codes?

8           A     Um-jum.

9           Q     Are you sure about that?

10          A     I have no reason to say they didn't.

11          Q     Well, I am just asking if whether you specifically  
12 recall that the Microsoft consultants specifically looked at  
13 those codes and validated them.

14          A     Yes, because if all the coding that was done  
15 in-house by the technicians of "el Centro de Cómputos" or the  
16 ones in OSIATD they would of have the people from Microsoft  
17 "I want you to check it."

18          Q     Well let me ask you something else. When you were  
19 using the second system which required the service to be on  
20 to find out if the lines were in operation, if for example a  
21 report came in that a particular school was off, did anybody  
22 get on the telephone and called the people and said "go turn  
23 it on, let's see if the T-1s are really working or not?"

24          A     Yes.

25          Q     That was done?